FOR MYSORE STATE

Revenue (195 , Department.

Ms. SERIES.

G.O. NO. 1327

Dated 7-5-1953.

[Despatch Abstract.]

Lease - Land - (South Kanara) - Mangalore taluk - Ullal village S.Nos.115/2B etc. - Grant under B.S.O.19.B - Orders issued.

REVENUE DEPARTMENT.

Subject:

LEASE - Land - Mangalore taluk - Ullal village - S.Nos. 145/2B, 1B etc. - grant under B.S.O. 19-B - Proposals.

Station : Madras. Ref.B. 11617/52-A. Dated: 22-1-53.

Sri W.R.S. Sattianathan, I.C.S., Commissioner of Land Revenue.

Sri A.F. Mascarenhas, I.A.S., Secretary, Board of Revenue.

Read: South Kanara Collector's Ref. B5- 27136/52 dt. 15-12-52.

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1533 A3

REFERENCE:-

Submitted to the Government.

2. The Board supports the Collector's proposal.

D Dhara Singh

For Secretary. 22/1/53

To The Secretary to the Government, Revenue Dept. with a file of 16 pages.

SNS: 22/1.

22/1

Part of it or (I)

Revenue Department.
Subject.

LEASE - Land - (Mangalore) - Mangalore taluk - Ullal village - S.No 115/2 B etc. - Grant under Boards Standing Order 19-B - Proposals.

Station: Madras. Ref: B. 11617/52-3 dated 31-3-1953.

From

Sri. W.R.S. Sattianathan, I.C.S., Commissioner of Land Revenue
Sri. A.F. Mascarenhas, I.A.S., Secretary, Board of Revenue.

Read:- Government Memo.No.7533A/53-2 dated 14-3-53.

Reference.

A copy of Collector's letter No. Bb-27136/52 dated 15-12-52 is submitted to the Government.

for Secretary.

To

The Secretary to the Government,
Revenue Department, Madras.

St. 31/3

4 APR 1953
29646A

Ref.B5.27136/52

S.Kanara Collector's Office,
Mangalore dated 15.12.52.

From

SRI C.A.RAMAKRISHNAN I.C.S.,
Collector of South Kanara.

To

The Secretary to the Board of Revenue, Land Revenue, Chepauk, Madras 5 (In duplicate).

Sir,

LEASE - Land - Mangalore taluk - Ullal village - S.Nos. 115/2B, 11B etc. grant under B.S.O.15-B proposals.

....

S.No. 115/2 of Ullal village stands registered in the Revenue Accounts as U.A.W. and S.Nos.115/11, 151/14 and 15B of the same village stand registered as A.W.dry in the revenue accounts. Portions denoted as S.No.115/2B, 115/11B, 151/14 and S.No.151/15B2 measuring 0.02, 0.17, 0.02 0.23 respectively, have been encroached upon by Srimathi S.U. Seetha Bai, holder of adjoining lands S.Nos.151/18 and 19 of Ullal village. The encroachment is by way of enclosing the plots with fencing on three sides and by raising casurina plants There are about 7 600 casurina plants at present aged about one year and 5 months.. The age of the fence of is 8 years. The cost of the improvements is about Rs.200/-. The encroachmer has been brought to village accounts Nos. 2 and 7 and assessment collected from fasli 1360 onwards.

2. The eyesketch showing the plots is at page 55 c.f. The plots in question are situated outside the Mangalore Port Limits, but lie within one furlong of the high water mark of the sea and as such they stand entered in the Prohibitive Order Book. At the time of booking the encroachments in 1949, the encroached plots were situated beyond 100 yds. of the high water mark of the sea; but now the sea has come forward by gradual erosion in the course of two years and the distance between the plots and the high water mark of the sea as at present vary from 345 links (76 yds.) to 395 links (89 yds.) The encroacher requests that the plots may be leased out to her temporarily to enable her to recoup the benefit of the improvements effected by her.

3, Under B S.O.15-35(ix) as amended by C.S.178, only lands situated above 100 yds. of the high water mark of the sea can be granted for casurina plantations. In this case the plots encroached upon are not situated within 100 yds.** previously. The facts of the case are rather exceptional The eviction of the encroachment will certainly cause a lot of hardship to the encroacher in that the destruction of casurina plants will be involved. In these circumstances I recommend, that in relaxat on of the general rule, prohibiting the grant of lands lying within 100 yds. of the high water mark of the sea, the plots may be leased out from year to year till such time that the trees are all cut and removed, and subject to the specific condition that if meanwhile the land is required for a public purpose, the encorachment will be evicted without any claim to compensation.

**of the high-water mark of the sea, though they were situated above 100 yds.

4. The records of enquiry pages 1 to 106 are enclosed for perusal and return.

Yours faithfully,

For Collector.

AM/17-12-52.

C.No. 7533 A/53

Revenue Dept.

ad.-

From the Bd. of Rev. Ref. No. B. 11617/52-2, dated 22.1.53

Go. Ms. No. 1327 Dated 7/5/53

In ~~under~~ the ~~exceptional~~ circumstances explained in the reference read above, the Govt. accept the recommendation of the Bd. of Rev. to relax the general rule prohibiting the grant of lands lying within 100 yards of the high water mark of the sea, to enable the Collr. of South Kanara to lease out the lands comprised in S. Nos. 115/2B, 115/11B, 151/14 and 151/15B2 of Ullal village, Mangalore taluk, with a total extent of 44 cents, to Sreemathi S. U. Seetha Bai, who has encroached upon the lands. The Collr. may lease out the lands from year to year till such time that the trees are all cut and removed, and subject to the special condition that if in the meanwhile the land is required for any public purpose the lease will be terminated and encroachment evicted with out any claim

for compensation.

10/4/53

14/4/53

To the Bd. of Rev. (L.R)
To the Bdr. of S. K
(with records of enquiry returned)

Note:- Please see the letter from the Bdr. of South Kanara on p. 3 of. The Bd. has supported the Bdr.'s proposal for the lease of the lands to the encroacher. Draft order submitted above is for appl. F&A may see before circulation.

20/4/53

14/4/53

Rev. No. 75 B 3 A/53-3 dt-20-6-53

F&A.

F&A(M) Dept

ADDITIONAL AGRICULTURE SECRETARY
27 APL 1958
FOOD AND AGRICULTURE DEPT.

To AS

The draft order on pp 1-2 above may be perused and the case returned to Rev Dept.

22.4.53

27/4/53

F&A No 24173 M/01
28.4.53

Rev.

7533A/53

D.A.P

Revenue Dept

Please see the draft order and the notes on pp. 1-2 ante. For orders whether the draft order may issue.

P. Ammanna Hegde
4/5/53

15/5/53

15/5/53

D.A.P
Attested
P.A. to C.S. (L.R.)
5.5.53

Macpherson
5.5.53

6/5 M (L.R.)

6 MAY 1953

REVENUE DEPT.